

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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In Re TERRORIST ATTACKS on	)	03 MDL 1570 (RCC)
SEPTEMBER 11, 2001	)	ECF Case
	)	

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*This document relates to:*

*Estate of O'Neill, et al. v. Republic of Iraq, et al., 04-CV-1076 (RCC)*

**Declaration of Gina MacNeill, Esquire Relating to Taha Al Alwani**

GINA M. MAC NEILL, on this 18<sup>th</sup> day of November, 2005, hereby declares pursuant to 28 United States Code Sec. 1746, and under penalties of perjury, that the foregoing is true and correct:

1. I am an attorney at law, licensed to practice law in the Commonwealth of Pennsylvania, the State of New Jersey, and admitted to practice in the United States District Court for the Southern District of New York.
2. I, along with Jerry S. Goldman, Esquire and others, am attorney of record in the instant matter.
3. On October 14, 2004, a letter was sent to Nancy Luque, Esquire, of Gray Carey, attorney of record for Taha Al Alwani a/k/a Dr. Taha Jabir Al Alwani ("Taha Al Alwani") in the multi-district litigation 03 MDL 1570 (RCC), requesting that defense counsel accept service on behalf of their client.
4. On October 25, 2004, a letter from Jay D. Hanson, Esquire, from Gray Cary, was received by our office in which Mr. Hanson declared that "[w]e are quite certain that the Taha Al Alwani you seek to serve in your case against Iraq is not our client, but rather an Iraqi living and associated with Iraqi governmental affairs,

quite possibly the Mayor of Fallujah, who has his name.” See Exhibit A.

5. On February 2, 2005, I sent out a service package to Mr. Taha Al Alwani, at 1105 Safa Street, Herndon, VA 20170, via Federal Express, tracking #8507 5919 9999, requesting a waiver of service of summons and which included:
  - a. One (1) Notice of Lawsuit and Request for Waiver of Service of Summons (“Notice”);
  - b. Two (2) copies of a Waiver of Service of Summons (“Waiver”);
  - c. Two (2) copies of the Original Complaint;
  - d. Two (2) Copies of the First Amended Complaint;
  - e. Two (2) Copies of the Second Amended Complaint; and
  - f. A Federal Express Return Envelope. See Exhibit B.
6. The package was received on February 7, 2005, according to Federal Express records. See Exhibit C.
7. We did not receive a response from Mr. Taha Al Alwani, or his counsel who was named as attorney of record in the multi-district litigation, 03 MDL 1570(RCC).
8. On July 29, 2005, at 9:25 a.m., personal service was effectuated upon Taha Al Alwani, by Mr. Scott Chapman. A copy of the affidavit of service is hereto attached as Exhibit D.

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GINA M. MAC NEILL, ESQUIRE  
2 Penn Center Plaza  
1500 JFK Blvd, Ste. 1411  
Philadelphia, PA 19102  
215.569.4500

# GRAYCARY

4365 Executive Drive, Suite 1100  
San Diego, CA 92121-2133  
[www.graycary.com](http://www.graycary.com)  
O) 858-638-6769  
F) 858-677-1401

October 25, 2004

OUR FILE NO. 2103638-6

VIA U.S. MAIL AND FACSIMILE (212-346-4665)

Jerry S. Goldman, Esq.  
Jerry S. Goldman & Associates, P.C.  
111 Broadway, 13th Floor  
New York, NY 10006

Re: **In re: Terrorist Attacks on September 11, 2001**  
**MDL No. 1570**  
**O'Neill, et al. v. Republic of Iraq, et al.**  
**04-CV-1076 (RCC)**

Dear Mr. Goldman:

This is to follow up my telephone call and email to you today, in response to your letter to my partner Nancy Luque of October 14. We are quite certain that the Taha Al Alwani you seek to serve in your case against Iraq is not our client, but rather an Iraqi living in Iraq and associated with Iraqi governmental affairs, quite possibly the Mayor of Fallujah, who has this name. Please contact me to straighten out this mis-identification issue. My direct telephone is (858) 638-6769.

Very truly yours,

Gray Cary Ware & Freidenrich LLP



Jay D. Hanson  
[jhanson@graycary.com](mailto:jhanson@graycary.com)

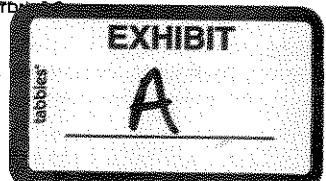
Admitted to practice in California

JDH:gw

cc: Nancy Luque  
Cris Beal

Gray Cary\SD\1615462.1  
2103638-6

AUSTIN LA JOLLA SACRAMENTO SAN DIEGO SAN FRANCISCO SEATTLE SILICON VALLEY WASHINGTON DC



**LAW OFFICES OF  
JERRY S. GOLDMAN & ASSOCIATES, P.C.**

A NEW YORK PROFESSIONAL CORPORATION DULY QUALIFIED TO TRANSACT BUSINESS WITHIN THE COMMONWEALTH OF PENNSYLVANIA

GINA M. MAC NEILL  
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gmacneill@goldmanlawyers.com  
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1500 JFK BOULEVARD  
PHILADELPHIA, PA 19102  
TEL: 215.569.4500 • FAX: 215.569.8899

111 BROADWAY • 13<sup>TH</sup> FLOOR  
NEW YORK, NY 10006  
TEL: 212.242.2232 • FAX: 212.346.4665

3109 STIRLING ROAD • SUITE 101  
FORT LAUDERDALE, FL 33312  
TEL: 954.981.6533 • FAX: 954.989.8068

Reply To: PHILADELPHIA

February 1, 2005

**Via Federal Express**

Taha al'Alwani a/k/a Dr. Taha Jaber al'Alwani  
1105 Safa Street  
Herndon, VA 20170-2326

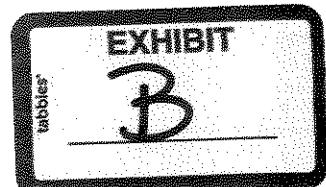
**Re:** *In re Terrorist Attacks of September 11, 2001*  
**03 MDL 1570 (RCC)**  
*Estate of John P. O'Neill, et al. v. Republic of Iraq, et al.*  
**04-CV-1076 (RCC)**

Dear Mr. al'Alwani:

Enclosed please find the following documents relating to the above-referenced case:

1. One (1) Notice of Lawsuit and Request for Waiver of Service of Summons (“Notice”);
2. Two (2) copies of a Waiver of Service of Summons (“Waiver”);
3. Two (2) copies of the Original Complaint;
4. Two (2) Copies of the First Amended Complaint;
5. Two (2) Copies of the Second Amended Complaint; and
6. A Federal Express Return Envelope.

Please be sure to review all enclosed materials carefully, as they relate to a legal matter, as explained in the enclosed Notice and Waiver.



February 1, 2005

Page 2

If you have any questions or comments, please feel free to contact me.

Very truly yours,

LAW OFFICES OF JERRY S. GOLDMAN &  
ASSOCIATES, P.C.

By: Gina M. MacNeill  
GINA M. MAC NEILL, ESQUIRE

GMM:jf

Enc. a/s

cc: Jerry S. Goldman, Esquire

FedEx<sup>®</sup> US Airbill

Express

1 From

Please print and press hard.

Date

2 / 2 / 05

Sender's FedEx  
Account Number

Tractor  
Number

85075919999

0215

SPH32

Recipient's Name \_\_\_\_\_ Jerry S. Goldman, Esq. Phone (215) 569-4500

2524-5006-0

Company GILLMAN, JERRY S., LAW OFFICES

Address 1500 JFK BLVD STE 1411

FedEx Priority Overnight  
Next business morning

City PHILADELPHIA

FedEx 2nd Day  
Second business day\*

FedEx Express Saver  
Third business day\*

State PA ZIP 19102-1747

FedEx 3rd Day  
Fourth business day\*

FedEx First Overnight  
Delivery to selected locations

Phone ( ) 215-569-4500

FedEx Day Freight\*  
Next business day\*

FedEx 30 Day Freight  
Delivery over long dist.

Recipient's Name \_\_\_\_\_ O'Neill

FedEx Envelope\*  
FedEx Confirmation

FedEx Small Pak  
FedEx Large Pak, Mini Pak, Study Pak  
Box

Recipient's Name \_\_\_\_\_ Taha al'Alwani a/k/a Dr. Taha Jaber Al'Alwani

FedEx Pak\*  
Includes FedEx Small Pak, FedEx Large Pak, Mini Pak, Study Pak

FedEx Tube

Address 1105 Safa Street

FedEx Saturday  
Available ONLY for FedEx, Priority Overnight, FedEx 2nd Day, FedEx 3rd Day, FedEx Day Freight and FedEx 30 Day Freight to select Zip codes

FedEx Hold  
at FedEx Location

Phone ( ) 703-274-2000

FedEx Hold  
Available ONLY for FedEx, Priority Overnight, FedEx 2nd Day, FedEx 3rd Day, FedEx Day Freight and FedEx 30 Day Freight to select Zip codes

FedEx Hold  
at FedEx Location

Address 1105 Safa Street

Does this shipment contain dangerous goods?  
One box must be checked

FedEx Hold  
Available ONLY for FedEx, Priority Overnight, FedEx 2nd Day, FedEx 3rd Day, FedEx Day Freight and FedEx 30 Day Freight to select Zip codes

Phone ( ) 703-274-2000

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One box must be checked

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FedEx Hold  
Available ONLY for FedEx, Priority Overnight, FedEx 2nd Day, FedEx 3rd Day, FedEx Day Freight and FedEx 30 Day Freight to select Zip codes

DRAFT/PROOF/STAMP/ROOM

Total Packages

FedEx Act No.

<div data-bbox="120 3131 146 3

PULL AND RETAIN THIS COPY BEFORE AFFIXING TO THE PACKAGE.

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Or call 1-800-GO-FED-X (1-800-463-3339)

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## Track Shipments Detailed Results

[Printable Version](#)  [Quick Help](#)

Tracking number	850759199999	Reference	O'NEILL
Signed for by	Signature release on file	Delivered to	Residence
Ship date	Feb 2, 2005	Service type	Standard Pak
Delivery date	Feb 7, 2005 9:18 AM	Weight	5.0 lbs.

Status	Delivered
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You can also track:

- By [TCN](#)
- FedEx Trade Networks shipments
- By [Email Track](#)
- By [FedEx Wireless Solutions](#)

Date/Time	Activity	Location	Details	Wrong Address? Reduce future mistakes by using FedEx Address Checker.
<b>Feb 7, 2005</b>	9:18 AM <b>Delivered</b>		Left at front door. No signature required - release waiver on file	<b>Shipping Freight?</b> FedEx has LTL, air freight, surface air expedited freight, multi piece packages, and ocean freight.
	7:37 AM On FedEx vehicle for delivery	HERNDON, VA		
<b>Feb 4, 2005</b>	5:05 PM At local FedEx facility	HERNDON, VA		Customer not available or business closed
	12:07 PM Delivery exception	HERNDON, VA		
<b>Feb 3, 2005</b>	7:11 AM On FedEx vehicle for delivery	HERNDON, VA		Customer not available or business closed
	3:38 PM At local FedEx facility	HERNDON, VA		
<b>Feb 2, 2005</b>	10:39 AM Delivery exception	HERNDON, VA		Customer not available or business closed
	7:02 AM On FedEx vehicle for delivery	HERNDON, VA		
	6:50 AM At local FedEx facility	HERNDON, VA		
	5:17 AM At dest sort facility	DULLES, VA		
	12:32 AM Arrived at FedEx location	NEWARK, NJ		
<b>Feb 2, 2005</b>	11:50 PM Package data transmitted to FedEx			
	9:15 PM Left origin	PHILADELPHIA, PA		
	6:33 PM Picked up	PHILADELPHIA, PA		

[Signature proof](#)[Track more shipments](#)

Email your detailed tracking results (optional)

Enter your email, submit up to three email addresses (separated by commas), add your message (optional), and click **Send email**.

From   
To

Add a message to this email:



IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Estate of John P. O'Neill et al

Plaintiff(s)

Case Number: 04cv1076(RCC)

vs

The Republic of Iraq et al

Defendant(s)

AFFIDAVIT OF SERVICE

I, Scott Chapman, hereby certify that on July 29, 2005 at 9:26 AM, I executed service of process upon **TAHA AL ALWANI AKA DR. TAHA JABIT AL'ALWANI** at 1105 Safa Street, Herndon, VA 20170 by delivering to and leaving with personally, copies of Summons and Complaint.

Taha Al Alwani aka Dr. Taha Jabit Al'Alwani is described as a Middle Eastern Male, approximately 5' 7" tall, 200-225 pounds, Brown eyes, Grey, balding hair, and 54 years of age. The undersigned further certifies that my place of business is: 331 8th Street, NE, Washington, DC 20002; that I am 24 years of age, Date of Birth 3/11/1981; and that I am not a party to this action.

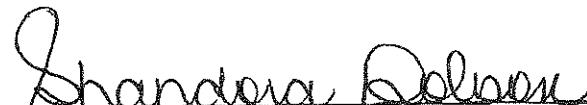
I declare under the penalty of perjury under the laws of the United States of America that the foregoing information is true and correct. Executed on August 4, 2005.

Date August 4, 2005.

  
\_\_\_\_\_  
Scott Chapman

WASHINGTON, THE DISTRICT OF COLUMBIA  
Subscribed and sworn to before me on August 4, 2005.

My Commission Expires:

  
\_\_\_\_\_  
Shandora Dobson  
Notary Public, District of Columbia  
My Commission Expires 12-14-2008

Ref.# 63285

